

COMBINED DECLARATION AND POWER OF ATTORNEY  
FOR CONTINUATION-IN-PART APPLICATION

Attorney Docket No.

2300-0063.31

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name:

I BELIEVE I AM THE ORIGINAL FIRST AND SOLE INVENTOR (if only one name is listed below) OR AN ORIGINAL FIRST AND JOINT INVENTOR (if more than one name is listed below) OF THE SUBJECT MATTER WHICH IS CLAIMED AND FOR WHICH A PATENT IS SOUGHT ON THE INVENTION

ENTITLED: NANBV DIAGNOSTICS AND VACCINES

the specification of which:

(check ☐ is attached hereto;  
one) ☒ was filed on 12-21-89 as

Application Serial No. 07/456,637

and was amended on \_\_\_\_\_  
(if applicable)

I HAVE REVIEWED AND UNDERSTAND THE CONTENTS OF THE ABOVE-IDENTIFIED SPECIFICATION, INCLUDING THE CLAIMS, AS AMENDED BY ANY AMENDMENT REFERRED TO ABOVE;

I ACKNOWLEDGE THE DUTY TO DISCLOSE INFORMATION WHICH IS MATERIAL TO THE EXAMINATION OF THIS APPLICATION IN ACCORDANCE WITH TITLE 37, CODE OF FEDERAL REGULATIONS, Sec. 1.56 (a) which states: "A duty of candor and good faith toward the Patent and Trademark Office rests on the inventor, on each attorney or agent who prepares or prosecutes the application and on every other individual who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application. All such individuals have a duty to disclose to the Office information they are aware of which is material to the examination of the application. Such information is material where there is a substantial likelihood that a reasonable examiner would consider it important in deciding whether to allow the application to issue as a patent. The duty is commensurate with the degree of involvement in the preparation or prosecution of the application.";

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below, and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) set forth above which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Serial No.	Filing Date	Status (Patented, Pending, Abandoned)
355,002	05/18/89	Pending
<del>355,961</del>	<del>05/18/89</del>	<del>Pending</del> wrong list
353,896	04/21/89	Pending see pg. 4
341,334	04/20/89	Pending
325,338	03/17/89	Abandoned
271,450	11/14/88	Abandoned
* 263,584	10/26/88	Abandoned
191,263	05/06/88	Abandoned
161,072	02/26/88	Abandoned
139,886	12/30/87	Abandoned
122,714	11/18/87	Abandoned

As to the subject matter of this application which is common to said earlier application, I do not know and do not believe that the same was ever known or used in the United States of America before my or our invention thereof or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to said earlier application, or in public use or on sale in the United States of America more than one year prior to said earlier application; that said common subject matter has not been patented or made the subject of an inventor's certificate issued before the date of said earlier application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to said earlier application; and that the earliest application(s) for patent or inventor's certificate on said invention filed by me or my legal representatives or assigns in any country foreign to the United States of America is identified below, as well as all other such applications (if any) filed more than twelve months prior to the filing date of this application:

COUNTRY	APPLICATION NO.	FILING DATE
Argentina	312562	11/18/88
Canada	582041	11/18/88
Chile	83788	11/22/88
China	881079884	11/18/88
ESP	883109325	11/18/88
India	960248	11/18/88
Ireland	347288	11/18/88
Israel	88420	11/18/88
Malaysia	P18801310	11/18/88
Mexico	13864	11/18/88
New Zealand	277011	11/18/88
Philippines	37833	11/18/88
Portugal	99041	11/18/88
South Africa	888649 (Issued 8/30/89 No. 888649)	11/18/88
Sweden	77108040	11/18/88
Thailand	007713	11/18/88
Great Britain	88729244	11/18/88
East Germany	1302119718	11/18/88
Yugoslavia	P113888	11/18/88
YUG	PCZ/8888/04:25	11/18/88
Australia	2794789	11/18/88
Switzerland	P18807310	11/18/88
Denmark	—	—
Finland	893447	11/18/88
Germany	38889	07/27/89
Japan	—	—
Norway	892931	11/18/88
South Korea	89701343	11/18/88
Russia	—	—
Malaysia	P18801618	11/18/88

The priority of the earliest application(s) (if any) filed within a year prior to said pending prior application is hereby claimed under 35 U.S.C. §119;

As to the subject matter of this application which is not common to said earlier application, I do not know and do not believe that the same was ever known or used in the United States of America before my or our invention thereof or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to the date of this application, or in public use or on sale in the United States of America more than one year prior to the date of this application, and that said subject matter has not been patented or made the subject of an inventor's certificate issued in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to the date of this application, and that the earliest application(s) for patent or inventor's certificate on said subject matter filed by me or my legal representatives or assigns in any country foreign to the United States of America is identified below, as well as all other such application(s) (if any) filed more than twelve months prior to the filing date of this application:

COUNTRY	APPLICATION NO.	FILING DATE
Argentina	312562	11/18/88
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Denmark	—	—
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Germany	38889	07/27/89
Japan	—	—
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IN PART APPLICATION

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The priority of the earliest application(s) (if any) filed within a year prior to this application is hereby claimed under 35 U.S.C. §119;

I hereby appoint the following attorneys and agent(s) to prosecute said application and to transact all business in the Patent and Trademark Office connected therewith and to file, prosecute and to transact all business in connection with international applications directed to said invention:

William H. Benz - Reg. No. 25,952  
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Debra Shetka - Reg. No. 33,309

Grant D. Green - Reg. No. 31,259  
Ronald S. Laurie - Reg. No. 25,431  
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and: Robert P. Blackburn, Reg. No. 30,447

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Address all telephone calls to: Gladys Monroy at 415-327-7250.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

FULL NAME OF SOLE OR FIRST INVENTOR		SIGNATURE	DATE
Michael Houghton		M. Houghton	2/21/90
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FULL NAME OF SECOND JOINT INVENTOR, IF ANY		SIGNATURE	DATE
Qui-Lim Choo		Qui-Lim Choo	2/21/90
RESIDENCE		CITIZENSHIP	
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POST OFFICE ADDRESS			
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FULL NAME OF THIRD JOINT INVENTOR, IF ANY		SIGNATURE	DATE
George Kuo		George Kuo	2/21/90
RESIDENCE		CITIZENSHIP	
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POST OFFICE ADDRESS			
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FULL NAME OF FOURTH JOINT INVENTOR, IF ANY		SIGNATURE	DATE
RESIDENCE		CITIZENSHIP	
POST OFFICE ADDRESS			

☐ Please see attached continuation page for additional inventors